HIGH COURT OF CHHATTISGARH, BILASPUR

Crminal Appeal No.1260 of 1992

Appellant	Kirtan Singh, aged about 60 years, son of Shri Tara Singh, resident of Makai Chowk, Dhamtari, Police Station Dhamtari, Distt. Raipur
	Versus
Respondent	State of Madhya Pradesh (now Chhattisgarh) through P.S. Dhamtari, Distt. Raipur (now Dhamtari)

Appeal u/s 374(2) of the Code of Criminal Procedure

Appearance:

Shri Sameer Singh for the appellant.

Shri Arun Sao, Govt. Advocate, for the State,

ORDER
(16.07.2007)

SUNIL KUMAR SINHA, J,

Heard.

This appeal is directed against the judgment of conviction and order of sentence dated 14.12.1992 passed by the Special Judge, Raipur, in Special Criminal Case No.12/1988 whereby the appellant was convicted u/s 7 of the Essential Commodities Act and sentenced to undergo R.I. for 3 months and to pay a fine of Rs.1000/-, in default of payment of fine, to further undergo S.I. for 1 month.

Earlier, learned counsel for the appellant had informed that the appellant had expired on which, this court had called a report from the concerned authority. A PUD dated 23.6.2007 has been received, according to which, the appellant has expired on 14.8.2006. The PUD is supported by the death certificate and the

statements of various relations, which shows that the appellant has expired on the said date.

Since no steps have been taken for substitution after death of the appellant on 14.8.2006, this appeal stands abated and there is no necessity of prosecuting this appeal.

The appeal is dismissed, as abated.

Sd/-
Sunil Kumar Sinha
Judge

Rao